1761551N25A - SH-AD-32A (OAS 6/97)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: July 21, 2011
FILE: FO2272818

OFFICE CORRESPONDENCE

FROM: JOSEPH S. HARTSHORNE, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: JOSEPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:
DEPUTY DAVID MOTTS #[redacted]
TWIN TOWERS CORRECTIONAL FACILITY

On Saturday, August 28, 2010, at approximately 1030 hours, Deputy David Motts instructed Inmate Raymone Giles to exit his cell (Module 132, F-7) for a facility transfer. As Inmate Giles exited, he immediately began assaulting an inmate worker, inmate [redacted] Deputy Motts ordered Inmate Giles to get on the ground, but Inmate Giles did not comply. Instead, he took a combative stance and advanced toward Deputy Motts. Deputy Motts O.C. sprayed inmate Giles 2-3 times, but the spray was ineffective. Inmate Giles continued to swing his fists at Deputy Motts, who responded by punching Inmate Giles 2-3 times in the face with his right fist.

Inmate Giles advanced again toward Deputy Motts. Deputy Motts grabbed Inmate Giles and struck him in the upper torso with 3-4 knee strikes. Deputy Motts was then able to take Inmate Giles to the ground by pulling him forward, using the front of his shirt. Once on the ground, Inmate Giles struck and kicked at Deputy Motts with his elbows and legs. Deputy Motts got Inmate Giles onto his stomach, placed his left knee in the lower portion of inmate Giles' back, and placed his right arm in a rear wristlock. Inmate Giles was handcuffed by Deputy Motts without further incident.

Inmate Giles was treated/evaluated by jail nursing staff and escorted to the Discipline Module.

On August 29, 2010, Inmate Giles complained of pain to his mid-torso area. Medical Services Bureau personnel determined that Inmate Giles had three fractured ribs.

On June 9, 2011 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy David Motts was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy Motts in this incident were within Department policy.

JSH:RSP/rsp

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FO# 2272818

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 910-01203-5800-144	Date: 8/28/10		Time: 1030 hrs.
Location: 450 Bauchet Street		City or Station: Los Angeles	
Bureau/Station/Facility: Twin Towers Custody Faciltiy		Admin. Investigation: YES ☒ NO ☐	
Type of Force: Significant / Take Down, Personal Weapon (Knee)			
Deputy Injury: YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☐ Call ☒ Observation ☐ Detail		☐ Foot Pursuit ☐ Vehicle Pursuit	
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Fredericks	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee # [redacted]	Last Name: Motts	First Name: David	Middle Name: M
Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: Twin Towers Custody Faciltiy	Work Assignment (Unit #, Module, etc.): 132 F/1
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ☐ Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted Hospital:		Coroner Case #	Directed Force ☐ Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Arevalo	Blanca	R	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bisaha	Steven	J

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bobo	David	J

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Scott A. Graham | [redacted]

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #. | Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 12/07)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 0 - 0 1 2 0 3 - 5 8 0 0 - 1 4 4

Suspect Information

S 1

Last Name: Giles | First Name: Raymone | Middle Name: Deon

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: | Age: 31 | Height: 6-00 | D.O.B. 06-10-43 | Weight: 150 | Armed? [ ]

Booking #: 2432307 | Primary Charge Code: 11350 H/S | Secondary Charge Code: | Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [X] NO Substance: ______ Mental Illness [ ]

Suspect Interview

Date: | Time: | Audiotape: [ ] | Videotape: [X] | Photos of Injuries: [ ]

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness: [ ]

Suspect Interview

Date: | Time: | Audiotape: [ ] | Videotape: [ ] | Photos of Injuries: [ ]

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ Mental Illness [ ]

Suspect Interview

Date: | Time: | Audiotape: [ ] | Videotape: [ ] | Photos of Injuries: [ ]

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 0 - 0 1 2 0 3 - 5 8 0 0 - 1 4 4

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Hughes	Albert	Jr.
[redacted]	Johnson	Nicole	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Supervisor's Report on Use of Force

9 1 6 - 0 1 2 0 3 - 5 8 0 0 - 1 4 4

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Raymone Giles	S1	Deputy Motts	E1	UC	NN	
Deputy Motts	E1	Raymone Giles	S1	OC	NN	FA
Raymone Giles	S1	Deputy Motts	E1	RS	NN	
Deputy Motts	E1	Raymone Giles	S1	PH	CP	FA
Deputy Motts	E1	Raymone Giles	S1	PK	FR	CH
Deputy Motts	E1	Raymone Giles	S1	TD	NN	
Raymone Giles	S1	Deputy Motts	E1	RS	NN	
Deputy Motts	E1	Raymone Giles	S1	CT	NN	BK
Deputy Motts	E1	Raymone Giles	S1	RH	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT SUMMARY

UNIT: Twin Towers Custody Facility
DATE: August 28, 2010
TIME: 1030 hours
LOCATION: 450 Bauchet Street Los Angeles, 90012
URN#: 910-01203-5800-144
IAB#: FO2272818

NATURE OF INCIDENT:

On Saturday, August 28, 2010, at approximately 1030 hours, Deputy David Motts instructed Inmate Raymone Giles to exit his cell (Module 132, F-7) due to a pending facility transfer. As Inmate Giles exited, he immediately began assaulting an inmate worker, inmate [redacted] Deputy Motts ordered Inmate Giles to get on the ground, but Inmate Giles did not comply. Instead, he took a combative stance and advanced toward Deputy Motts. Deputy Motts O.C. sprayed inmate Giles 2-3 times, but the spray was ineffective. Inmate Giles continued to swing his fists at Deputy Motts, who responded by punching Inmate Giles 2 -3 times in the face with his right fist.

Inmate Giles advanced again toward Deputy Motts. Motts responded by grabbing inmate Giles and striking him in the upper torso with 3-4 knee strikes. Deputy Motts was then able to take Inmate Giles to the ground by pulling him forward, using the front of his shirt. Once on the ground, inmate Giles struck and kicked at Deputy Motts with his elbows and legs. Deputy Motts got Inmate Giles onto his stomach, placed his left knee in the lower portion of inmate Giles' back, and placed his right arm in a rear wristlock. Inmate Giles was handcuffed by Deputy Motts without further incident.

Inmate Giles was escorted to the Tower I Clinic where he was treated/evaluated by jail nursing staff for O.C. spray exposure, and complaint of pain to his right hand, right chest area, and back. No other injuries were detected at that time.

Inmate Giles was escorted to the Discipline Module, where, on Sunday, August 29, 2010, he complained of pain to his mid torso area. He was escorted to the clinic for x-ray, and on Monday, August 30, 2010, Medical Services Bureau Personnel determined that Inmate Giles had three fractured ribs.

IAB Note: Deputy Motts' Incident Report is included in this case book. See **Exhibit A**. Supplemental Reports are also included, see **Exhibit B and C.**

Internal Affairs Bureau Lieutenant Stefanie Fredericks was notified, and Sergeant Scott Graham and Dinah Grote responded to Twin Towers Custody Facility to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

David Motts - Deputy Sheriff, Employee #[redacted]
Twin Towers Custody Facility
Custody Division

Date of Employment:	03-07-2007
Date Assigned to Unit:	07-15-2007
Prior Founded Force Incidents:	[redacted]

INVOLVED SUSPECT :

Giles, Raymone

Sex:	Male
Race:	Black
Date of Birth:	November 26, 1978
Booking #	8935100
Charge:	243(b) P.C., 242 P.C.
Injury:	Three Broken Ribs.

The Consolidated Criminal History System reveals that inmate Giles has been [redacted]

IAB Note: A copy of Suspect Giles' criminal history is included in this report. See **Exhibit F**.

INVOLVED EMPLOYEE STATEMENTS:

Deputy David Motts #[redacted] was interviewed by Internal Affairs Bureau Sergeants Scott Graham and Eric Strong, on December 9, 2010, at 1043 hours, at Internal Affairs Bureau. The interview was digitally audio recorded.

Deputy Motts said that he was working Module T-132 as F-1 position. While transferring inmate Giles to IRC, when inmate Giles exited F-pod, he began punching inmate [redacted] who was an inmate worker. Deputy Motts ordered inmate Giles to stop fighting, and get on the ground.

Inmate Giles ignored Deputy Motts' orders and continued punching inmate [redacted] in the head and face area four-five more times. Deputy Motts again ordered inmate Giles to stop fighting. Inmate Giles then turned and faced Deputy Motts with is fists at chest level. Inmate Giles began to aggress Deputy Motts. Deputy Motts again ordered inmate Giles to get on the ground. Inmate Giles continued approaching Deputy Motts. As he got close, Deputy Motts pepper sprayed him in the face. This had no effect on inmate Giles. As inmate Giles continued to advance, he swung his right fist at Deputy Motts. Deputy Motts stated that he did not know if the punch made contact. They began to exchange punches. Deputy Motts punched inmate Giles two-three times in the face, forcing him back into F-pod. Deputy Motts continued ordering inmate Giles to stop fighting and get on the ground. Deputy Motts grabbed inmate Giles by the front of his shirt, and kneed inmate Giles on the both sides of his rib cage. He then pulled inmate Giles forward, and onto the floor facing down. Deputy Motts stated that, "As he's (inmate Giles) on the ground, he's still fighting, throwing elbows at me and kicking." Deputy Motts was able to kneel on inmate Giles' back to keep him down as he attempted to control his arms. Deputy Motts was eventually able to gain control of inmate Giles' arms and handcuffed him.

When Deputy Motts was asked why he utilized the knee strikes, he stated that he has trained using this technique, and in the past has found it to be successful. He was asked if he had thought of other less lethal options. He said that he had, but this seemed to be the best option at the time.

Deputy Motts authored a Crime Report **(Exhibit A)** documenting his observations and actions. For additional information refer to Deputy Motts' report and verbatim interview transcripts.

RADIO TRAFFIC

No radio traffic relating to this incident was obtained.

SUSPECT'S STATEMENTS:

Suspect Giles invoked his Miranda Rights to the JIU Detective Armand Villagomez #[redacted] Due to this, IAB investigators did not interview him.

> **IAB Note:** The following is a summary taken from the Watch Commander, Lieutenant Bobo's, video interview. The CD is included in this case book. See **Exhibit H.**

When asked what had happened, Suspect Giles said that he was kicked in the ribs 10 times by the deputy and taken to the ground. He could not see who the deputy was, because he was sprayed in the face with "mace." When asked if he was hit, he said he was. When asked where he was hit, he said in the back of the head, and face. When asked how many times he said, 8-9 times.

Suspect Giles was asked why this happened. He stated, "I guess because me and the trustee were fighting, I guess."

When asked if the deputy told him to stop fighting, he stated, "Yes, and I stopped." When questioned further, he made more statements that he was pepper sprayed 10 times, and kicked while on the ground.

> **IAB Note:** A copy of the JIU Case Filing package is included in this case book. See **Exhibit E.**

> **IAB Note:** A copy of the District Attorney Reject Supplemental Report is included in this case book. See **Exhibit E.**

DEPARTMENT WITNESS STATEMENTS:

Hughes, Albert Jr.#[redacted] Custody Assistant C/A Hughes authored a supplemental report under file number 910-012303-4800-144 regarding what he saw and the actions he took. See **Exhibit B**.

> **IAB Note:** Witness Hughes was unable to be interviewed due to being Injured On Duty, and being off for an extended amount of time.

Hughes was working as the T-132 booth officer. He was updating the transfer list when he was distracted by a loud noise. He turned and faced the F-pod area and saw S/Giles punching V/[redacted] S/Giles was swinging his hands and hitting V/[redacted] in the head. Deputy Motts gave several verbal commands to S/Giles to stop assaulting V/[redacted] C/A Hughes said he saw S/Giles walk toward the F-pod door and face Deputy Motts. S/Giles "took a swing" at Deputy Motts. C/A Hughes turned to get his radio in order to put out "deputy involved in a fight" traffic. When he turned around to assess the situation, Deputy Motts had already handcuffed S/Giles and was escorting him to the staging area.

Johnson, Nicole #[redacted] Custody Assistant was interviewed by Internal Affairs Bureau Sergeants Scott Graham and John Rossi on March 8, 2011 at 0915 hours, at Twin Towers Custody Facility. The interview was digitally audio recorded.

Johnson was working module 132. While in the booth, she saw inmate Giles swing at inmate [redacted] She could not tell if inmate [redacted] was hit due to her vantage point. She said that inmate Giles turned toward Deputy Motts and swung at him. She exited the booth to assist Deputy Motts.

By the time Johnson arrived in F-pod, the incident was over and Deputy Motts already had handcuffed inmate Giles. She assisted Deputy Motts in escorting inmate Giles to the stairs staging area without incident.

She was asked if she saw Deputy Motts punch, kick or pepper spray inmate Giles while he was handcuffed. She said that she did not see any force used while she was there, and the incident was over before she got to Deputy Motts.

C/A Johnson authored a Supplemental Report **(Exhibit C)** documenting her observations and actions. For additional information refer to C/A Johnson's report and verbatim interview transcripts.

NON-DEPARTMENT WITNESS STATEMENTS:

IAB Note: The following are summaries from the video interviews by Sergeant Arrevalo. See **Exhibit I.**

[redacted] L.A. County Jail inmate Booking #[redacted]

Inmate [redacted] was the victim on an assault by inmate Giles. When asked what he saw the deputy do he said, after he was hit, the deputy told me to get out. He saw the deputy put his arms out toward the inmate, and very calmly told the inmate to get back in the pod. He did not see any of the force used on the inmate. He said he only heard arguing and the inmate using the "F" word.

[redacted] L.A. County Jail inmate Booking #[redacted]

When interviewed, inmate [redacted] said that two inmates were fighting. The deputy broke up the fight and took the suspect to the ground and pepper sprayed the suspect. The deputy handcuffed the suspect once on the ground.

[redacted] L.A. County Jail inmate Booking #[redacted]

When interviewed, inmate [redacted] said the deputy pepper spayed the inmate. The deputy then kicked him three times in the ribs, "beat him in his back, then punched with a closed fist in his face twice. The inmate was on the ground and the deputy kicked him in the ribs two times, then kneed him in the back, then punched him twice in the face."

When asked how the fight started, he said that the inmate hit the trustee.

When asked again about the force, inmate [redacted] now said that the inmate was compliant and laying on the ground with his hands behind his back. The deputy then used force. He did say that when the deputy kicked the complaint inmate in the ribs, the inmate was hurt and leaned up. The deputy then knelt on his back.

[redacted] L.A. County Jail inmate Booking #[redacted]

When interviewed, inmate [redacted] could not tell what he saw without consulting with inmate [redacted]

IAB Note: Inmate [redacted] and inmate [redacted] share the same cell.

He was asked several times by Sergeant Arrevalo to tell what he saw. Inmate [redacted] said the deputy used too much force. When asked again what he saw, inmate [redacted] said the deputy "pepper maced" the inmate. Once pepper sprayed, the inmate went to the ground. The deputy handcuffed the inmate and kicked him in the ribs. The deputy put his knee on the inmate's throat, and hit him in the face. Sergeant Arrevalo asked inmate [redacted] if he meant the deputy put his knee on the back of the inmate's neck, as opposed to the throat. Inmate [redacted] said the deputy put his knee on the back of the inmate's neck.

[redacted] L.A. County Jail inmate Booking #[redacted]

When interviewed, inmate [redacted] stated, "Yea, I seen the police kick the homie when he was handcuffed." When asked again what happened, he said the deputy told the inmate to turn around. The inmate got on the ground, and the deputy pepper sprayed him from behind. The deputy handcuffed the inmate then began kicking him. The deputy pepper sprayed the inmate again, and kicked him again. When asked how many times the inmate was kicked, inmate [redacted] said "5 times." He also said the deputy punched the inmate once on the side of the head.

[redacted] L.A. County Jail inmate Booking #[redacted]

When interviewed, inmate [redacted] said he saw two inmates fighting. He then saw the deputy take the one inmate into custody. When asked if the deputy hit the inmate, he said no, just handcuffed.

SUSPECT'S INJURIES:

Inmate Giles was escorted to the Tower I Clinic where he was treated/evaluated by jail nursing staff for O.C. spray exposure, and complaint of pain to his right hand, right chest area, and back. No other injuries were detected at that time.

Inmate Giles was escorted to the Discipline Module, where, on Sunday, August 29, 2010, he complained of pain to his mid torso area. He was escorted to the clinic for x-ray, and on Monday, August 30, 2010, Medical Services Bureau Personnel determined that Inmate Giles had three fractured ribs on his right front area.

IAB Note: A copy of inmate Giles' "Radiology Exam Report" is included in this case book. See **Exhibit D.**

IAB Note: CD's containing photographs depicting inmate Giles injuries are included in this case book. See **Exhibit G**.

DEPUTY PERSONNEL:

None of the deputy personnel were injured in this altercation.

PHYSICAL EVIDENCE:

No physical evidence was collected at the scene by Internal Affairs Bureau Investigators.

INVESTIGATORS OBSERVATIONS:

Internal Affairs Bureau Sergeants Scott Graham, and Dinah Grote responded to the scene two days after the incident. No photographs were taken.

WEAPONS USED BY DEPUTY PERSONNEL:

Personal weapons, hands, knee.

WEAPONS USED BY SUSPECT:

Personal weapons, hands.

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Armand Villagomez #[redacted] Detective, OSJ -TTCF
Court: Superior Court - Inglewood
Charges Filed: 11350(a) H/S

IAB Note: On September 07, 2010, the City of Los Angeles District Attorney's Office, filed this case as a reject and was assigned case number 10-2876-38.

WEATHER CONDITIONS AND LIGHTING CONDITIONS:

The incident occurred inside the custody facility.